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IN THE  
**Supreme Court of the United States**  
OCTOBER TERM, 1945

No. 370

NATIONAL ELECTRIC PRODUCTS CORPORATION,  
Petitioner,  
v.  
TRIANGLE CONDUIT & CABLE CO., INC.,  
Respondent.

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**PETITIONER'S REPLY BRIEF**

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GEORGE E. FAITHFULL,  
Attorney for Petitioner.

JOHN HOXIE,  
of Counsel.

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The conclusion of the court of appeals below, quoted by respondent, was not that the patented combination is not a new combination. The grounds of this conclusion as stated in the opinion show that to be so (Rec. 489-491); indeed, it is sufficiently shown by the treatment of the combination as a *new* use of the helical thread (Rec. 490-491). The use could not be new unless it was a use with different inner elements, making a new combination.

The conclusion of anticipation was inevitable, on the rule applied below (Pet., pp. 2-3). Rejecting that rule, the Second Circuit has recognized that consequence of it, saying "no strictly combination patent could be valid \* \* \*" (Pet. Brief, p. 23; and 17, 23-24). Therein lies the conflict and the importance of review by this Court.

Respectfully,

GEORGE E. FAITHFULL,  
Attorney for Petitioner.

August 31, 1945.